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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,690	10/12/2004	Tetsurou Fukumoto	259741US6PCT	6697

  

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314		

  

EXAMINER	
MEYERS, JAMES A	

  

ART UNIT	PAPER NUMBER
2622	

  

NOTIFICATION DATE	DELIVERY MODE
09/26/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

**Application No.**

10/509,690

**Applicant(s)**

FUKUMOTO ET AL.

**Examiner**

James A. Meyers

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/20/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This action is in response to the amendment dated June 26, 2007. Claims 1-14 are pending and have been considered below.

#### ***Claim Objections***

1. Based on the amendment dated June 26, 2007, all objections to the claims have been withdrawn.

#### ***Claim Rejections - 35 USC § 112***

2. Based on the amendment dated June 26, 2007, all rejections to the claims based on 35 U.S.C. 112 have been withdrawn.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 9-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. (JP 2000-235222) in view of Oliver et al. (JP 03-067322).

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**Claim 1:** Takeshi discloses a lens adapter to be mounted on a collapsible lens-type camera, comprising:

(a) an attachment section configured to be mounted on the case (column 3, paragraph 16; figure 1);

(b) a lens barrel housing section provided at the attachment section and configured to house the lens barrel (column 2, paragraph 6; figure 1),

(c) wherein the lens barrel housing section includes a cylindrical wall section covering the lens barrel (column 2, paragraph 8; figure 1) and an opening provided at the front end of the cylindrical wall section so as to expose a front end of the lens barrel (column 2, paragraph 6; figure 1),

(d) wherein the cylindrical wall section has an internal diameter and length such that the lens barrel positioned at the projection position is covered (column 2, paragraph 8),

(e) wherein a female screw configured to attach optical components is formed at the opening (column 3, paragraph 17; figures 1 and 2), and

(f) wherein the attachment section together with the lens barrel housing section are configured to partially expose the case when mounted on the case (figure 1).

Takeshi does not disclose that the attachment section is configured to be mounted on the case in a detachable manner. Oliver discloses an attachment section to be mounted on a camera in a detachable manner (figure 13). Because both Takeshi and Oliver disclose attachments for a camera, it would have been obvious to one skilled

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in the art to substitute one attachment section for the other to achieve the predictable result of attaching a lens adapter to a camera.

**Claim 9:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, but do not explicitly disclose that both the attachment section and the lens barrel housing section are made from rigid synthetic resin. However, it would have been obvious to one having ordinary skill in the art at the time of invention that that both parts of the adapter could be made from any material suitable to protect the camera from unnecessary forces, including hard plastic (a rigid synthetic resin). One would have been motivated to make both pieces of the adapter out of hard plastic to ensure that the lens barrel of the camera was not damaged.

**Claim 11:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, but do not explicitly disclose that the lens barrel housing section is formed of a material that blocks light. However, it would have been obvious to one having ordinary skill in the art at the time of invention that a common opaque material such a hard plastic could be used, as was common in the camera art. One would have been motivated to do so to ensure that no unwanted light leaked into the optical system of the camera.

**Claim 14:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, and Takeshi further discloses that the attachment section is attached to the case in a way that exposes various switches for use in photographing (figure 1).

5. Claims 2, 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. (JP 2000-235222) in view of Oliver et al. (JP 03-067322) as applied to claim 1 above, and further in view of Shigeru et al. (JP 2002-006389).

**Claim 2:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, but do not disclose that the attachment section includes a first member and a second member swingably engaging with each other in a detachable manner, the first member having a front wall that comes into contact with a portion of a front surface of the case nearer the lens barrel, and the second member having a rear wall that comes into contact with a rear surface of case; that attachment of the attachment section on the case is achieved by making the first member and the second member connect in a state that the case is sandwiched with the front and rear wall in a direction from front to rear; or that the lens barrel housing is provided on the first member.

Shigeru discloses an attachment for a camera wherein:

(a) the attachment section includes a first member and a second member swingably engaging with each other in a detachable manner, the first member having a front wall that comes into contact with a portion of a front surface of the case nearer the lens barrel, and the second member having a rear wall that comes into contact with a rear surface of case (column 3, paragraphs 12 and 13; figure 1);

(b) that attachment of the attachment section on the case is achieved by making the first member and the second member connect in a state that the case is sandwiched

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with the front and rear wall in a direction from front to rear (column 3, paragraphs 12 and 13; figure 1); and

(c) the lens barrel housing is provided on the first member (figure 3).

Because both Takeshi and Shigeru disclose attachment sections for a camera accessory, it would have been obvious to one having ordinary skill in that art to substitute one attachment section for the other to achieve the predictable result of attaching an accessory to the camera body.

**Claim 5:** Takeshi, Oliver and Shigeru disclose a lens adapter as in Claim 2 above, and Shigeru further discloses that the first member and second member have a sidewall respectively which comes into contact with a side surface of the case (figure 1).

Because both Takeshi and Shigeru disclose attachment sections for a camera accessory, it would have been obvious to one having ordinary skill in that art to substitute one attachment section for the other to achieve the predictable result of attaching an accessory to the camera body.

**Claim 10:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, but do not explicitly disclose that both the attachment section and the lens barrel housing section are made from a rigid synthetic resin, that a metallic ring is embedded and fixed at the front end of the cylindrical wall section, that the opening is formed on the inside of the inner peripheral surface of the ring, or that the female screw is formed on the inner peripheral surface of the ring.

Shigeru discloses an attachment for a camera wherein:

- (a) a metallic ring is embedded and fixed at the front end of the cylindrical wall section (column 2, paragraph 6);
- (b) the opening is formed on the inside of the inner peripheral surface of the ring (column 2, paragraph 6; figure 10); and
- (c) the female screw is formed on the inner peripheral surface of the ring (column 6, paragraph 29).

Because both Takeshi and Shigeru disclose lens barrel housing sections for a camera accessory, it would have been obvious to one having ordinary skill in that art to substitute one lens barrel housing section for the other to achieve the predictable result of protecting the lens barrel while allowing attachments.

Takeshi, Oliver and Shigeru do not explicitly disclose that both the attachment section and the lens barrel housing section are made from rigid synthetic resin. However, it would have been obvious to one having ordinary skill in the art at the time of invention that that both parts of the adapter could be made from any material suitable to protect the camera from unnecessary forces, including hard plastic (a rigid synthetic resin). One would have been motivated to make both pieces of the adapter out of hard plastic to ensure that the lens barrel of the camera was not damaged.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. (JP 2000-235222) in view of Oliver et al. (JP 03-067322) as applied to claim 1 above, and further in view of Maitani et al. (US 4,273,434).



**Claim 7:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, and Takeshi further discloses that the camera has a finder apparatus formed with an optic system separately from the lens barrel and that the finder apparatus has an eyepiece window for viewing an image of a subject (column 3, paragraph 15; figure 1). Neither Takeshi nor Oliver disclose that the finder apparatus has an opening and closing member for opening and closing the eyepiece window at a portion where the attachment section faces the eyepiece window. Maitani discloses a sliding cover for a camera that opens and closes the eyepiece window (column 2, lines 14-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to add the sliding member opening and closing the eyepiece to the finder apparatus of Takeshi. One would have been motivated to do so to ensure that the user of the camera using the lens adapter did not use the eyepiece window when a filter or lens was attached to the end of the lens barrel housing, thereby framing the wrong field of view.

7. Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. (JP 2000-235222) in view of Oliver et al. (JP 03-067322) as applied to claim 1 above, and further in view of Yamaguchi et al. (US 4,847,648).

**Claim 8:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, and Takeshi further discloses that the camera has a finder apparatus with a finder lens (column 3, paragraph 15; figure 1). Neither Takeshi nor Oliver disclose that the finder apparatus

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has an opening and closing member for opening and closing the finder lens at a portion where the attachment section faces the finder lens. Yamaguchi discloses a camera with a barrier moveable between an opening position to expose the finder lens portion and the closing position to close the finder lens portion (column 6, lines 34-39).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to add the moveable barrier of Yamaguchi to the finder apparatus of Takeshi. One would have been motivated to do so to ensure that the user of the camera using the lens adapter did not use the finder lens when a filter or lens was attached to the of the lens barrel housing, thereby framing the wrong field of view.

8. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi et al. (JP 2000-235222) in view of Oliver et al. (JP 03-067322) as applied to claim 1 above, and further in view of Akira (JP 02-201340).

**Claim 12:** Takeshi and Oliver disclose a lens adapter as in Claim 1 above, but do not disclose wherein a female screw for tripod attachment is formed in the case, a crew insertion hole is formed at a portion of the attachment section facing the female screw for tripod attachment in a state that the attachment section is attached to the case, and the lens adapter is configured in such a way that the attachment section is fixed on the case by screwing an attachment screw into the female screw for tripod attachment via the screw insertion hole. Akira discloses an attachment for a camera with a screw insertion hole formed at a portion of the attachment section facing the female screw,

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and that the attachment is fixed on the case by screwing an attachment screw into the female screw via the screw insertion hole (figure 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to include the screw insertion hole of Akira into the lens adapter of Takeshi and Oliver. One would have been motivated to do so to allow for the camera to be mounted on a tripod while still protecting the lens barrel from damage.

**Claim 13:** Takeshi, Oliver and Akira disclose a lens adapter as in Claim 12 above, and Akira further discloses that the attachment section facing the screw insertion hole faces a lower surface of the case. Therefore it would have been obvious to one having ordinary skill in the art at the time of invention to place the screw insertion hole in the lower surface of the attachment section in the adapter of Takeshi and Oliver. One would have been motivated to do so because the vast majority of cameras with female screws for tripod attachment have the screw located in the bottom portion of the case.

***Allowable Subject Matter***

9. Claims 3, 4 and 6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Reasons for indicating allowable subject matter were stated in the previous Office Action, dated March 27, 2007.

***Response to Arguments***

10. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Meyers whose telephone number is (571) 270-1690. The examiner can normally be reached on Mon-Thurs 8AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/4/2007

JM



NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER